

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 10268 of 2007(V)

PETITIONER:

1. C.VIJAYAN, MANAGER, WEST AIDED L.P.
SCHOOL, PULAPPATTA, PULAPPATTA P.O.,
PALAKKAD DISTRICT, (S/O.SANKARA GUPTAN, 61 YEARS).
2. C.R.PURUSHOTHAMAN, LPSA,
WEST AIDED L.P.SCHOOL, PULAPPATTA,
PULAPPATTA P.O., PALAKKAD DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.C.P.SIVADASAN NAIR

RESPONDENTS:

1. STATE OF KERALA, REP. BY ITS
SECRETARY TO GOVERNMENT, DEPT. OF GENERAL
EDUCATION, GOVT. SECRETARIAT, THIRUVANANTHAPURAM.
2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.
3. DISTRICT EDUCATIONAL OFFICER,
OTTAPALAM.
4. ASSISTANT EDUCATIONAL OFFICER,
PALAKKAD DISTRICT.

BY GOVT.PLEADER SMT.M.R.M.R.SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

EXT.P1: TRUE COPY OF CERTIFICATE ON BEHALF OF R1.

EXT.P2: TRUE COPY OF ORDER OF APPOINTMENT DT. 27/10/2006.

EXT.P3: TRUE COPY OF ORDER DT. 12/1/2007 OF R4.

EXT.P4: TRUE COPY OF ORDER DT. 12/10/2006 ISSUED BY R1.

EXT.P5: TRUE COPY OF REVISION PETITION FILED BEFORE R1.

W.P(C) No.10268 of 2007

Dated this the 27th day of June, 2007.

J U D G M E N T

Petitioner No.1 is the Manager of an aided school. Petitioner No.2 is a Lower Primary School Assistant appointed by the Manager in the school against a regular vacancy. However the Controlling Officer refused to grant approval to the said appointment taking the view that Ext.P4 order of the Government will disentitle the teacher to get approval. Learned counsel submits that the Manager has preferred Ext.P5 revision before the Government against Ext.P3 order passed by the Controlling Officer. The limited prayer is to issue a direction to respondent No. 1 to take a decision on Ext.P5 expeditiously.

2. Learned Government Pleader submits that if Ext.P5 revision has been preferred as contended by the petitioner, an appropriate decision thereon will be taken without any delay.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P5 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within 4 months from the date of receipt of a copy of this judgment. Needless to mention that the petitioners shall be afforded sufficient opportunity to be heard before any orders are passed.

Petitioners shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. Basheer

Judge.

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